



General Assembly

January Session, 2007

Amendment

LCO No. 7891

SB0093807891SD0

Offered by:

SEN. WILLIAMS, 29th Dist.
SEN. LOONEY, 11th Dist.
SEN. MCDONALD, 27th Dist.
SEN. STILLMAN, 20th Dist.
SEN. HANDLEY, 4th Dist.
SEN. GAFFEY, 13th Dist.
SEN. FONFARA, 1st Dist.
SEN. COLEMAN, 2nd Dist.
SEN. DAILY, 33rd Dist.
SEN. FINCH, 22nd Dist.
SEN. HARRIS, 5th Dist.
SEN. HARP, 10th Dist.
SEN. GOMES, 23rd Dist.
SEN. PRAGUE, 19th Dist.
SEN. LEBEAU, 3rd Dist.
SEN. CRISCO, 17th Dist.
SEN. MCKINNEY, 28th Dist.
SEN. NICKERSON, 36th Dist.
SEN. FREEDMAN, 26th Dist.
REP. DARGAN, 115th Dist.
REP. LAWLOR, 99th Dist.
REP. TONG, 147th Dist.
REP. OLSON, 46th Dist.
REP. ROLDAN, 4th Dist.

REP. HENNESSY, 127th Dist.
REP. WRIGHT, 41st Dist.
REP. AYALA, 128th Dist.
REP. KIRKLEY-BEY, 5th Dist.
REP. WALKER, 93rd Dist.
REP. HAMM, 34th Dist.
REP. FOX, 146th Dist.
REP. BARTLETT, 2nd Dist.
REP. LEONE, 148th Dist.
REP. TRUGLIA, 145th Dist.
REP. SHAPIRO, 144th Dist.
REP. RITTER, 38th Dist.
REP. DYSON, 94th Dist.
REP. PERONE, 137th Dist.
REP. FONTANA, 87th Dist.
REP. BYE, 19th Dist.
REP. FAWCETT, 133rd Dist.
REP. CHRISTIANO, 134th Dist.
REP. O'NEILL, 69th Dist.
REP. FLOREN, 149th Dist.
REP. GIBBONS, 150th Dist.
REP. POWERS, 151st Dist.
REP. HETHERINGTON, 125th Dist.
REP. KLARIDES, 114th Dist.

To: Subst. Senate Bill No. 938

File No. 69

Cal. No. 127

"AN ACT CONCERNING A STUDY OF LIMITING THE PURCHASE OF HANDGUNS TO ONE PER MONTH."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section. 1. Section 53-202g of the general statutes is repealed and
4 the following is substituted in lieu thereof (*Effective October 1, 2007*):

5 (a) Any person who lawfully possesses an assault weapon under
6 sections 29-37j and 53-202a to 53-202k, inclusive, and subsection (h) of
7 section 53a-46a or a firearm, as defined in section 53a-3, that is lost or
8 stolen from [him] such person shall report the loss or theft to [law
9 enforcement authorities] the organized local police department for the
10 town in which the loss or theft occurred or, if such town does not have
11 an organized local police department, to the state police troop having
12 jurisdiction for such town within seventy-two hours of when such
13 person discovered or should have discovered the loss or theft. Such
14 department or troop shall forthwith forward a copy of such report to
15 the Commissioner of Public Safety. The provisions of this subsection
16 shall not apply to the loss or theft of an antique firearm as defined in
17 subsection (b) of section 29-37a.

18 (b) Any person who fails to make a report required by subsection (a)
19 of this section within the prescribed time period shall commit an
20 infraction and be fined not more than ninety dollars for a first offense
21 and be guilty of a class D felony for any subsequent offense, except
22 that, if such person intentionally fails to make such report within the
23 prescribed time period, such person shall be guilty of a class C felony.
24 Any person who violates subsection (a) of this section for the first
25 offense shall not lose such person's right to hold or obtain any firearm
26 permit under the general statutes.

27 Sec. 2. Section 29-28 of the general statutes is repealed and the
28 following is substituted in lieu thereof (*Effective October 1, 2007*):

29 (a) No person who sells ten or more pistols or revolvers in a
30 calendar year or is a federally-licensed firearm dealer shall advertise,
31 sell, deliver, or offer or expose for sale or delivery, or have in such
32 person's possession with intent to sell or deliver, any pistol or revolver
33 at retail without having a permit therefor issued as provided in this
34 subsection. The chief of police or, where there is no chief of police, the
35 warden of the borough or the first selectman of the town, as the case
36 may be, may, upon the application of any person, issue a permit in
37 such form as may be prescribed by the Commissioner of Public Safety
38 for the sale at retail of pistols and revolvers within the jurisdiction of
39 the authority issuing such permit. No permit for the sale at retail of
40 any pistol or revolver shall be issued unless the applicant holds a valid
41 eligibility certificate for a pistol or revolver issued pursuant to section
42 29-36f or a valid state permit to carry a pistol or revolver issued
43 pursuant to subsection (b) of this section and the applicant submits
44 documentation sufficient to establish that local zoning requirements
45 have been met for the location where the sale is to take place except
46 that any person selling or exchanging a pistol or revolver for the
47 enhancement of a personal collection or for a hobby or who sells all or
48 part of such person's personal collection of pistols or revolvers shall
49 not be required to submit such documentation for the location where
50 the sale or exchange is to take place.

51 (b) Upon the application of any person having a bona fide residence
52 or place of business within the jurisdiction of any such authority, such
53 chief of police, warden or selectman may issue a temporary state
54 permit to such person to carry a pistol or revolver within the state,
55 provided such authority shall find that such applicant intends to make
56 no use of any pistol or revolver which such applicant may be
57 permitted to carry under such permit other than a lawful use and that
58 such person is a suitable person to receive such permit. No state or
59 temporary state permit to carry a pistol or revolver shall be issued
60 under this subsection if the applicant (1) has failed to successfully
61 complete a course approved by the Commissioner of Public Safety in
62 the safety and use of pistols and revolvers including, but not limited

63 to, a safety or training course in the use of pistols and revolvers
64 available to the public offered by a law enforcement agency, a private
65 or public educational institution or a firearms training school, utilizing
66 instructors certified by the National Rifle Association or the
67 Department of Environmental Protection and a safety or training
68 course in the use of pistols or revolvers conducted by an instructor
69 certified by the state or the National Rifle Association, (2) has been
70 convicted of a felony or of a violation of subsection (c) of section 21a-
71 279, section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175,
72 53a-176, 53a-178 or 53a-181d, (3) has been convicted as delinquent for
73 the commission of a serious juvenile offense, as defined in section 46b-
74 120, (4) has been discharged from custody within the preceding twenty
75 years after having been found not guilty of a crime by reason of mental
76 disease or defect pursuant to section 53a-13, (5) has been confined in a
77 hospital for persons with psychiatric disabilities, as defined in section
78 17a-495, within the preceding twelve months by order of a probate
79 court, (6) is subject to a restraining or protective order issued by a
80 court in a case involving the use, attempted use or threatened use of
81 physical force against another person, (7) is subject to a firearms
82 seizure order issued pursuant to subsection (d) of section 29-38c after
83 notice and hearing, (8) is prohibited from shipping, transporting,
84 possessing or receiving a firearm pursuant to 18 USC 922(g)(4), (9) is
85 an alien illegally or unlawfully in the United States, or (10) is less than
86 twenty-one years of age. Nothing in this section shall require any
87 person who holds a valid permit to carry a pistol or revolver on
88 October 1, 1994, to participate in any additional training in the safety
89 and use of pistols and revolvers. Upon issuance of a temporary state
90 permit to the applicant, the local authority shall forward the original
91 application to the commissioner. Not later than sixty days after
92 receiving a temporary state permit, an applicant shall appear at a
93 location designated by the commissioner to receive the state permit.
94 Said commissioner may then issue, to any holder of any temporary
95 state permit, a state permit to carry a pistol or revolver within the state.
96 Upon issuance of the state permit, the commissioner shall make
97 available to the permit holder a copy of the law regarding the permit

98 holder's responsibility to report the loss or theft of a firearm and the
99 penalties associated with the failure to comply with such law. Upon
100 issuance of the state permit, the commissioner shall forward a record
101 of such permit to the local authority issuing the temporary state
102 permit. The commissioner shall retain records of all applications,
103 whether approved or denied. The copy of the state permit delivered to
104 the permittee shall be laminated and shall contain a full-face
105 photograph of such permittee. A person holding a state permit issued
106 pursuant to this subsection shall notify the issuing authority within
107 two business days of any change of such person's address. The
108 notification shall include the old address and the new address of such
109 person.

110 (c) No issuing authority may require any sworn member of the
111 Department of Public Safety or an organized local police department to
112 furnish such sworn member's residence address in a permit
113 application. The issuing authority shall allow each such sworn
114 member who has a permit to carry a pistol or revolver issued by such
115 authority, to revise such member's application to include a business or
116 post office address in lieu of the residence address. The issuing
117 authority shall notify each such member of the right to revise such
118 application.

119 (d) Notwithstanding the provisions of sections 1-210 and 1-211, the
120 name and address of a person issued a permit to sell at retail pistols
121 and revolvers pursuant to subsection (a) of this section or a state or a
122 temporary state permit to carry a pistol or revolver pursuant to
123 subsection (b) of this section, or a local permit to carry pistols and
124 revolvers issued by local authorities prior to October 1, 2001, shall be
125 confidential and shall not be disclosed, except (1) such information
126 may be disclosed to law enforcement officials acting in the
127 performance of their duties, (2) the issuing authority may disclose such
128 information to the extent necessary to comply with a request made
129 pursuant to section 29-33 for verification that such state or temporary
130 state permit is still valid and has not been suspended or revoked, and
131 the local authority may disclose such information to the extent

132 necessary to comply with a request made pursuant to section 29-33 for
133 verification that a local permit is still valid and has not been suspended
134 or revoked, and (3) such information may be disclosed to the
135 Commissioner of Mental Health and Addiction Services to carry out
136 the provisions of subsection (c) of section 17a-500.

137 (e) The issuance of any permit to carry a pistol or revolver does not
138 thereby authorize the possession or carrying of a pistol or revolver in
139 any premises where the possession or carrying of a pistol or revolver is
140 otherwise prohibited by law or is prohibited by the person who owns
141 or exercises control over such premises.

142 (f) Any bona fide resident of the United States having no bona fide
143 residence or place of business within the jurisdiction of any local
144 authority in the state, but who has a permit or license to carry a pistol
145 or revolver issued by the authority of another state or subdivision of
146 the United States, may apply directly to the Commissioner of Public
147 Safety for a permit to carry a pistol or revolver in this state. All
148 provisions of subsections (b), (c), (d) and (e) of this section shall apply
149 to applications for a permit received by the commissioner under this
150 subsection.

151 Sec. 3. (NEW) (*Effective October 1, 2007*) (a) A person is guilty of
152 firearms trafficking if such person, knowingly and intentionally,
153 directly or indirectly, causes one or more firearms that such person
154 owns, is in possession of or is in control of to come into the possession
155 of or control of another person whom such person knows or has
156 reason to believe is prohibited from owning or possessing any firearm
157 under state or federal law.

158 (b) Any person who violates any provision of this section shall be
159 guilty of a class C felony if such person, on or after the effective date of
160 this section, sells, delivers or otherwise transfers five or fewer firearms,
161 and a class B felony if such person, on or after the effective date of this
162 section, sells, delivers or otherwise transfers more than five firearms.

163 (c) For the purposes of this section, "firearm" means "firearm" as

164 defined in section 53a-3 of the general statutes, but does not include a
165 rifle or shotgun or an antique firearm as defined in subsection (b) of
166 section 29-37a of the general statutes."

This act shall take effect as follows and shall amend the following sections:		
Section	<i>October 1, 2007</i>	New section
Sec. 2	<i>October 1, 2007</i>	29-28
Sec. 3	<i>October 1, 2007</i>	New section